BLAKE A. FIELD
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Pro Se Plaintiff

Blake A. Field VS Google, Inc., Doc. 23

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**UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEVADA**

BLAKE A. FIELD,

Plaintiff,

vs.

GOOGLE, INC., a corporation

Defendant.

Case No. CV-S-04-0413-RCJ-LRL

**PLAINTIFF BLAKE A. FIELD'S ANSWER TO DEFENDANT GOOGLE INC.'S COUNTERCLAIMS**

## ANSWER TO COUNTERCLAIMS

### Jurisdiction and Venue

Blake A. Field ("Plaintiff") hereby answers the Counterclaims of Google Inc. as follows:

1. In response to Paragraph 1 of the Counterclaim, Plaintiff admits that he is an individual domiciled in Las Vegas, Nevada.

2. In response to Paragraph 2 of the Counterclaim, Plaintiff is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2, and on that basis denies the allegations therein.

3. Paragraph 3 states a legal conclusion to which no response is required.

4. Paragraph 4 states a legal conclusion to which no response is required.

### General Allegations

5. Plaintiff denies the allegations in Paragraph 5 of the Counterclaim.

6. Plaintiff admits the allegations in Paragraph 6 of the Counterclaim.

7. Plaintiff admits the allegations in Paragraph 7 of the Counterclaim.

8. Plaintiff admits the allegations in Paragraph 8 of the Counterclaim.

9. Plaintiff denies the allegations in Paragraph 9 of the Counterclaim.

10. In response to Paragraph 10 of the Counterclaim, Plaintiff admits that he was

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aware of the Google search engine at the time he posted the Writings on his web site, but otherwise denies the allegations contained in Paragraph 10.

11. In response to Paragraph 11 of the Counterclaim, Plaintiff admits that he was aware of the Google cache at the time he posted the Writings on his web site, but otherwise denies the allegations contained in Paragraph 11.

12. Plaintiff admits the allegations of Paragraph 12 of the Counterclaim.

13. Plaintiff denies the allegations of Paragraph 13 of the Counterclaim.

14. Plaintiff admits the allegations of Paragraph 14 of the Counterclaim.

15. Plaintiff denies the allegations of Paragraph 15 of the Counterclaim.

16. Plaintiff denies the allegations of Paragraph 16 of the Counterclaim.

17. Plaintiff denies the allegations of Paragraph 17 of the Counterclaim.

18. Plaintiff denies the allegations of Paragraph 18 of the Counterclaim.

19 Plaintiff denies the allegations of Paragraph 19 of the Counterclaim.

20. In response to Paragraph 20 of the Counterclaim, Plaintiff admits that at the time he posted the Writings on his web site, he was aware of the method described at http://www.google.com/remove.html#uncache to have content removed from the Google cache, but otherwise denies the allegations contained in Paragraph 20.

21. Plaintiff denies the allegations in Paragraph 21 of the Counterclaim.

22. Plaintiff admits the allegations in Paragraph 22 of the Counterclaim.

23. Plaintiff admits the allegations in Paragraph 23 of the Counterclaim.

24. Plaintiff admits the allegations in Paragraph 24 of the Counterclaim.

25. Plaintiff denies the allegations in Paragraph 25 of the Counterclaim.

**First Claim for Relief**

**(Declaratory Judgement- Fair Use)**

26. Plaintiff incorporates by reference Paragraphs 1 through 25 of the Answer as though fully set forth herein.

27. Plaintiff denies the allegations of Paragraph 27 of the Counterclaim.

28. Plaintiff denies the allegations of Paragraph 28 of the Counterclaim.

29. Plaintiff denies the allegations of Paragraph 29 of the Counterclaim.

30. Plaintiff admits the allegations of Paragraph 30 of the Counterclaim.

31. Plaintiff denies the allegations of Paragraph 31 of the Counterclaim.

32. Plaintiff denies the allegations of Paragraph 32 of the Counterclaim.

33. Plaintiff denies the allegations of Paragraph 33 of the Counterclaim.

**Second Claim for Relief**

**(Declaratory Judgement- Implied License)**

34. Plaintiff incorporates by reference Paragraphs 1 through 33 of the Answer as though fully set forth herein.

35. Plaintiff denies the allegations of Paragraph 35 of the Counterclaim.

36. Plaintiff denies the allegations of Paragraph 36 of the Counterclaim.

37. Plaintiff denies the allegations of Paragraph 37 of the Counterclaim.

**Third Claim for Relief**

**(Declaratory Judgment- 17 U.S.C. § 512 Safe Harbors**

38. Plaintiff incorporates by reference Paragraphs 1 through 37 of this Answer as though fully set forth herein.

39. Plaintiff denies the allegations of Paragraph 39 of the Counterclaim.

40. Plaintiff denies the allegations of Paragraph 40 of the Counterclaim.

41. Plaintiff denies the allegations of Paragraph 41 of the Counterclaim.

DATED this 13th day of December, 2004.

Blake A. Field
Plaintiff Pro Se
3750 Doris Place
Las Vegas, NV 89120
(702) 434-9798

**CERTIFICATE OF MAILING**

I hereby certify that a copy of the foregoing ANSWER TO DEFENDANT GOOGLE, INC.'S COUNTERCLAIMS was served on December 13, 2004 by placing same in the United States mail, postage pre-paid to:

Kelly A. Evans
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and

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Blake A. Field